

PROCEEDINGS OF THE BROWN COUNTY
PUBLIC SAFETY COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the **Brown County Public Safety Committee** was held on Wednesday, September 2, 2015 at the Brown County Sheriff's Office, 2684 Development Drive, Green Bay, WI

Present: Chair Buckley, Supervisor Nicholson, Supervisor Clancy, Supervisor Zima
Excused: Supervisor La Violette
Also Present: Cullen Peltier, Todd Delain, Supervisor Campbell, Neil Basten, Jeff Jansen, John Vander Leest, Melissa Spielman, Juliana Ruenzel, Chad Weininger, Patrick Murphy, and other interested parties.

I. Call meeting to order.

The meeting was called to order by Chair Patrick Buckley at 11:00 am.

II. Approve/Modify Agenda.

Motion made by Supervisor Clancy, seconded by Supervisor Nicholson to approve with the modification to take Items 3 and 12 before Comments from the Public. Vote taken. MOTION CARRIED UNANIMOUSLY

III. Approve/Modify Minutes of August 5, 2015.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Comments from the Public.

-Robert Boerschinger, 2769 Daniel Court, Green Bay, Wisconsin. Boerschinger advised that he has been attending quite a few Board meetings recently as well as other meetings and he notices that many times acronyms are used, but not everyone is familiar with the acronyms. He would like to see that the first time an acronym is used, that the meaning of the acronym is spelled out as he felt this would helpful to the general public.

1. Review minutes of:

a. Local Emergency Planning Committee (July 14, 2015).

Motion made by Supervisor Zima, seconded by Supervisor Nicholson to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

Communications

2. Communication from Supervisor Campbell: Evaluate procedures for emergency management in cases of long-term power outages when there are temperature extremes and/or when disasters occur. This would include evaluation of communication plans and plans for setting up emergency shelters. *Referred from August County Board.*

Supervisor Campbell wished to point out that this is not a blaming mission or finger pointing mission, but rather a fact finding mission. She said that after a 27 hour power outage in her district near Lambeau Field recently they heard a small explosion and thought they were going to be without power for more time. She noted that she had heard a number of different things from WPS and their call center and she did go to WPS today to address this with them. Campbell continued that she has many elderly and disabled people in her district as well as some on oxygen and the power outage was frustrating and disturbing. After the explosion and facing the prospect of being out of power for a number of more hours, Campbell went over to Ashwaubenon Public Safety to report the issue including the explosion and a resulting small fire and she also spoke to them regarding Brown County Emergency Management as she was not aware of what policies were in place related to prolonged power outages. Campbell then went to Brown County Emergency Management and spoke with Emergency Management Director Melissa Spielman and

they proceeded to discuss what plans are in place. Campbell did not feel that she was getting much in the way of answers as far as when residents should go to shelters, what programs are in place, if there are safety check programs, how Brown County works with the municipalities, etc. She brought this communication to find the answers to these questions.

Campbell asked Emergency Management Director Melissa Spielman what the decision making process is when Emergency Management is notified by Wisconsin Public Service that there is a potential to be out of power for a specific amount of time. Campbell also stated that they were going to trigger Red Cross for her constituents and she did not know where a shelter would be opened. She found that Red Cross is the keeper of the shelter list and she stated that other supervisors have disabled constituents who could benefit from this information. Some people do not have a land line and their garages could not be opened or they did not know how to get their garages open without electricity and do not have access to younger people who were on social media. Campbell wants to know what the policy is and what conditions require shelters or safety check programs. She felt that as representatives of constituents and communities, supervisors have some responsibility for public safety.

Spielman stated that Emergency Management is summoned by public safety and, as such, they need information either from the 911 center by people calling 911 to report what issues are going on or from public safety partners. Campbell asked what people would do if their phone is out and they are not social media savvy or on twitter to stay in communication. She noted that one person who is wheelchair bound called the Village President because she was stuck in her house and had to call the fire department. Spielman responded that the fire department would then let Emergency Management know that there are concerns and Emergency Management would ask for more resources.

Spielman continued that they did review Ashwaubenon Public Safety's list of emergency request calls and did not see anything related to the power outage. Most of the calls were with regard to traffic stops. Campbell stated that without power most people did not have phones to call. Spielman stated that they do not know there is a need if people do not call in a need. She does not want to sound insensitive, but Spielman noted that people should always have a second line of contact. Specifically, in an area where there are a lot of elderly people, there could be kids or neighbors checking up on them. If there is a concern, Emergency Management needs to know and they depend on people letting them know. She noted that they were dealing with power outages all over the county, not just in one small specific area. Spielman stated that the communication they typically get that there are issues comes from public safety officers and the communication center.

Buckley summarized that the need to open shelters, which is done by the Red Cross, is usually the result of the 911 center calls coming in or a village or municipality calling and making the request. Spielman noted that the first time she was aware of the issues was when Supervisor Campbell called her and she was then immediately on the phone with the Public Safety Director. Spielman stated she was in contact with public safety leaders throughout the night through e-mails and phone calls and there was not one expression from any of the public safety partners or 911 that a shelter should have been opened. Spielman did agree with Campbell that if there is a way to provide more of a unified communication with everyone, that is something they will spearhead. She also noted that she did send out a press release along with a tweet and a Facebook post with contact information for anyone who felt they were in need of shelter due to the heat.

Buckley asked Spielman if she has reached out to any of the different groups that work with the elderly to be more proactive. Campbell stated that she serves on the ADRC Board and asked this question and specifically, if there is a comprehensive list somewhere to utilize for safety checks. Buckley stated that safety checks would be more on the village side. Buckley stated that the ADRC could work on putting a protocol together and Campbell stated that that is exactly what she is looking for. She stated they will be having a meeting with the transportation committee and they can get information out to people about providing a voluntary way to put themselves on a list. Buckley felt this would be a great thing for the ADRC to work on. Campbell asked if there was a triggering point of a certain amount of hours before action is taken and Spielman said there is no specific requirement, but she said that in the event of severe conditions, such as severe cold, Emergency Management is on the phone with public safety agencies to discuss what is coming and then plans are made accordingly and they typically do an EOC activation and bring in everyone to help make decisions.

Nicholson asked Campbell what she was looking for and Campbell responded that she is looking for a policy and plan to be put in place. She continued that the problem is that you have people in an area who still have land lines, but if the land lines are out, they are not on twitter to get posts or not on Facebook to get posts and she felt there had to be a plan in place. Zima felt it could be something as simple as having a list of people at risk and updating it periodically. Campbell responded that it would have to be a voluntary list and she is trying to work on this with ADRC but she would also like Emergency Management to be part of the plan.

Campbell continued by acknowledging that everyone needs to take personal responsibility but there also needs to be some game plan. When constituents are showing up at her house wondering what is going on, there is a problem. Spielman responded that Emergency Management does have a lot of resources to help people, but they need to know that people need the help.

Buckley stated that there is an education component involved here as well and Campbell agreed. Buckley said it appears that Emergency Management is definitely able to help, but a determination needs to be made as to what Emergency Management is capable of doing and what the ADRC is capable of doing and then coming together to coordinate. Buckley had confidence in Emergency Management and stated that they have always been there for the County and it appears that all of the public safety people in the County are willing to help as well.

Motion made by Supervisor Zima, seconded by Supervisor Nicholson to refer to Emergency Management Department and bring back. Vote taken. MOTION CARRIED UNANIMOUSLY

***2a. Communication from Supervisor Clancy re: Request a report from the Sheriff with regard to Human Trafficking during Packer season.**

Chief Deputy Todd Delain asked specifically what Supervisor Clancy was looking for. Clancy stated that it has been reported that apparently when there is a Packer game there is a large influx of prostitutes being brought in or people that facilitate the profession and he would like to know if this is a common thing that happens at large attractions and, if so, how does it get corrected.

Delain stated that they do focus on all types of human trafficking, including prostitution if it involves people that are at any point trying to force a person into doing anything that they might not otherwise do, whether it be prostitution or other crimes, and they want to identify those people. He continued that vulnerable adults or juvenile runaways are a concern and any time they can reach out to that group they try to address it. Delain said that if the Sheriff's Department gets any specific information about things occurring at a certain time or place they attempt to resolve those or pass it along to the municipality that has jurisdiction. For things that happen close to Lambeau Field, they pass that along to the agency that has jurisdiction over that location. Zima asked if stings are done and Delain responded that they do do operations which relate to prostitution and the solicitation of children for sex acts as much as they can. These operations take quite a lot of manpower, but they do do them and have done them in the past. Delain stated that it is more difficult when manpower is drained and a Packer game is a significant draw on all law enforcement in Brown County, plus there are other associated issues such as disturbances, drunk driving and traffic issues going on at the same time.

Nicholson asked what Clancy was looking for. Clancy responded that he has received a few phone calls that trafficking was quite rampant and it was quite a lucrative business in areas of the city where there is Packer traffic and he wanted to find out if this was true. Delain stated that there have been reports of activities, but the most difficult part is having actual information. Delain stated that if they get anything that is actionable, they follow up on it. Zima asked how many arrests there are a year for prostitution and Delain stated that he would have to look into the figure. Nicholson asked Delain if he felt there was a problem with prostitution during Packer season and Delain responded that he felt there was an issue with prostitution all the time and during a Packer game, many, many people are brought into an area and the sheer increase in population makes it potentially more lucrative to get into the business because there are more clients to offer services to. It is matter of supply and demand and it is likely that the demand is higher for certain illegal activities and where there is a demand there will be someone trying to supply it. When the Sheriff's Department has specific details, they do attempt to address them. Additionally, the Sheriff's Department does do targeted operations at different times when they are better staffed.

Nicholson would like the Sheriff's Department to look into this further. He noted that when large crowds are in the area there is going to be crime of all different levels from prostitution, drugs, assaults, scalping, stolen goods and he felt that the Sheriff's Department needs to start with the crimes of the highest priority. Delain agreed with this and stated that on days that draw the most resources, the Department addresses the highest needs and sorts through them. Because of manpower, being proactive without a specific complaint does fall a little lower on the list of priorities with the nature of the other things that need immediate attention.

Campbell noted that she had interviewed the primary advocate against human trafficking in the United States. Campbell recommends that the Sheriff's Department talk to her. Campbell stated that this activist came here because the Green Bay area is one of the areas that is most targeted and she has a lot of training on this. She also has a prevention program and there is a church group that formed after the advocate was here and Campbell felt it would be helpful for the Committee to hear about why she came here. Campbell stated that the Green Bay area is second in the country as a target area because of the accessibility and ease of getting in and out. This advocate asked Campbell if Brown County would consider starting a group in the County for this particular issue. Campbell felt the advocate would be a great person to advise how to prevent these things. Nicholson asked Campbell to share the information she had with the Sheriff's Department.

Motion made by Supervisor Nicholson, seconded by Supervisor Zima to refer to the Sheriff's Department and bring back in Sheriff's Report and to have Supervisor Campbell share information she has with the Sheriff's Department. Vote taken. MOTION CARRIED UNANIMOUSLY

3. **Communication from Supervisor Nicholson re: Review the Brown County policies and procedures for GAL's with a closed session included in order to address specific cases and request Corporation Counsel, Clerk of Courts and presiding Judge to attend.**

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to enter into closed session for Items 3, 18 a, b & c. Roll Call: Nicholson, Clancy, Buckley, Supervisor Zima arrived at 11:03 a.m. MOTION CARRIED UNANIMOUSLY

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to return to regular order of business. Roll Call: Nicholson, Clancy, Zima; Nay: Buckley. MOTION CARRIED UNANIMOUSLY

Medical Examiner

4. **Budget Status Financial Report for July, 2015.**

Interim Medical Examiner Jeff Jansen reported that the Medical Examiner's office is slightly over on autopsies. They just balanced the budget for the second half of the year with their accountant and presented it to the Executive and it looks decent.

Motion made by Supervisor Nicholson, seconded by Supervisor Zima to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

5. **2015 Brown County Activity Spreadsheet.**

Jansen stated that they are up 40 cases over last year. They are up 22 autopsies from last year and down 10 external examinations from last year. The external exams are done by a deputy with toxicology and include photos and documentation of injuries. Jansen noted that some of those external exams had to be upgraded to full autopsies because circumstances dictated they needed more examination. He noted that they can tell the cause of injuries from the outside for motor vehicle accidents, but sometimes the injuries that are visible externally are not fatal so they do a full autopsy to see if there were other medical conditions. Jansen continued that there has been an increase of seven motor vehicle fatalities this year. Some of those would normally result in external exams if there is only one person involved, but this year law enforcement required that quite a few of those be upgraded to full autopsies because some hit homes or businesses and others involve pedestrians. The 22 additional autopsies minus the 10 external examinations result in a net increase of \$33,000 for post mortem examinations. Of the \$33,000,

\$15,300 is offset by increases in revenue from signing death certificates and cremation certificates. Suicides are down this year so far and Jansen would like to think that this is due to the efforts of the suicide prevention group. Homicides have stayed the same at this point.

Motion made by Supervisor Zima, seconded by Supervisor Nicholson to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

Public Safety Communications

6. Budget Status Financial Report for July, 2015.

Communications Director Cullen Peltier reported that things look good and revenues are still exceeding expenses.

Motion made by Supervisor Nicholson, seconded by Supervisor Zima to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

7. Radio Service Interruption.

Peltier noted that they had a radio outage on August 26, 2015. The duration of the event was from 2:40 p.m. until 3:42 p.m. Peltier stated that there was a software malfunction which locked up the equipment at the Scrays Hill tower site, both the primary and redundant system which resulted in the entire 700 MHz trunking system being completely down along with the VHF paging system being down. There are number of backup systems in place that were functioning and available and the communication system was also available. The response from Bay Com and Motorola identified the system through remote monitoring and Bay Com was dispatched out to check on it. As they were checking on it, it cascaded and got worse and they chased around to different tower sites and finally got it back up.

Peltier continued that what he wanted to address is that there was a technical issue that occurred and what he thinks is important is how the system was managed and how it was handled. Peltier stated that they notified all law enforcement agencies via CAD a minute after the system went down and police and fire agencies were notified by 2:52 pm and the County Executive was notified shortly thereafter. They have worked with MABAS to put together standard operating guidelines and they used that during this event. They also moved to the Green Bay backup systems and all of the other county agencies went to the 800 backup system. There were a lot of agencies on one channel. Peltier described all of the actions that were taken to handle calls during the outage and noted that because of the Packer game that night they wanted to be sure the system would be stable enough and Motorola had a rep stationed at Scrays Hill to address any problems.

Zima asked what needs to be added to prevent this from happening again. Peltier responded that the root cause of the problem needs to be figured out. The information they have at this time is that it was a switch failure and Peltier said that there is redundancy in the switch so it does not happen again. Peltier stated that it was his understanding that it was a software malfunction and the software was not functioning properly and it read as though it was jamming up the system and basically shut the ports down at Scrays Hill which rendered the Communication Center useless. System Engineer Doug Younger of Motorola was in attendance and addressed the Committee. Younger was not able to say at this time why both systems were lost. They have been onsite the last couple of days pulling logs and trying to gather information to determine what exactly happened. Nicholson asked how soon Motorola felt they would have information available and Zima asked what was done to fix the problem. Younger explained that the system is designed with multiple layers of reliability and can handle a single point of failure so everything is redundant. If there are multiple failures, this can happen. The only way to decrease the risk of this happening again is to look at the vulnerabilities in the system. There was no sabotage of the system and the outage was the result of multiple devices failing. Zima asked if this has happened anywhere else in other areas. Buckley stated that since Motorola or Bay Com do not know what caused the malfunction, they would not be able to say if it has happened anywhere else. Younger stated that what they have done is enhanced the logging capabilities to capture events that happen in the network so that if something were to happen again they would have additional information. A question was raised if the system was running over capacity and Younger stated that that was not the issue. Zima stated that the system involved a lot of money and Younger agreed and stated that the system is designed with

redundant pieces of equipment and unfortunately when both pieces of equipment fail simultaneously this can happen. Zima felt that there has to be a way to prevent this and Younger responded that this is why there are backup channels available. Peltier noted that although it was chaotic and definitely not ideal, it all did work out.

Clancy asked Motorola if they knew right away where the problem was when they looked at it. Younger responded that he was not involved in the initial diagnosis of the problem, but it was clear that there was an issue. The tech that was involved was not in attendance at this meeting.

Zima asked who is working on solving the problem and Younger indicated that they were working together with Bay Com. He stated that this is a high priority and they have a team reviewing this to determine exactly what happened. Because of the nature of the failure, there were a lot of failure events that happened that filled up the logs and they cannot go back to see when the initial figure was. Zima asked if the equipment has been replaced and Younger stated that nothing has been replaced but they have been monitoring it since the incident. In the next couple weeks there will be a team of experts sorting through the equipment to make any software upgrades and configuration changes that are required to minimize the possibility of this occurring again. Motorola felt that they would have some answers within the next month.

Clancy asked if there was any way they could have a sister station backup that would switch right over. Younger replied that they do have backup radio channels but the site that controls that is the site where the failure took place. Nicholson felt that this should be held until next month and that Younger should be present as well as the technicians working on this so the Committee can get some answers.

Motion made by Supervisor Nicholson, seconded by Supervisor Zima to hold for one month. Vote taken. MOTION CARRIED UNANIMOUSLY

Clerk of Courts

8. Budget Status Financial Report for July, 2015.

Clerk of Courts John Vander Leest stated that numbers are about \$90,000 above last year and they will be working on bringing in revenues through the rest of the year as well as reducing expenses. Vander Leest felt that 2015 figures will be better than previous years.

Motion made by Supervisor Nicholson, seconded by Supervisor Zima to receive and place on file. Vote taken. MOTION CARRIED UNANIMOUSLY

9. Request for representation from the Clerk of Courts and Courts to attend each meeting through the end of 2015 to provide monthly updates including various reports as requested by this Committee. *Standing Item per motion at April, 2015 meeting. See Item 10.*

Vander Leest wished to combine Items 9 and 10 .

10. Clerk of Court's Report.

Vander Leest stated that there was an article in the paper on August 30 regarding collection efforts. Vander Leest noted that just because someone is in prison or receiving assistance does not mean that their fines are forgiven. He noted that every party has to try to be responsible and they do allow community service for up to 30% of fines. Vander Leest stated that they collected about \$8,000 as a result of 35 letters that were sent out. There were 24 people they never heard a reply from and Vander Leest also stated that some of the addresses were not current. With regard to the court hearings, they had four people show up. Two of the no shows live in the area and will be personally served to appear in court on September 28. Another round of hearings will be held on September 14 and Vander Leest is hopeful that they would get good response. He noted that about 5 – 10 people did come into the office to make payments. Zima stated that they appreciated the efforts that are being made with regard to these past due accounts.

**Motion made by Supervisor Zima, seconded by Supervisor Nicholson to receive and place on file Items 9 & 10.
Vote taken. MOTION CARRIED UNANIMOUSLY**

Sheriff

11. Budget Status Financial Report for July, 2015.

Chief Deputy Todd Delain stated that they are projecting to be on budget overall at the end of the year. Certain expenses are a little up and some revenue is slightly down, but overall at the end of the year they are projecting that they will meet their budget.

**Motion made by Supervisor Zima, seconded by Supervisor Clancy to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

12. Discussion on Establishing a Crime Prevention Board in Brown County allowed by WI Statute.

Chief Deputy Todd Delain reported that the Sheriff has requested Mr. Murphy to attend this meeting to provide information regarding a crime prevention foundation as well as the new statute that was appropriate for establishment of a crime prevention board within Brown County. Murphy provided a packet of information to the Committee. He stated that this is not about a crime prevention program per se. There is no controversy as a general rule with crime prevention and typically people are very supportive of crime prevention programs and demonstrate their benefits to the community in terms of health and quality of life. Additionally, a good crime prevention program will save the community taxpayer money because by preventing crime, you prevent the costs of use of the criminal justice system, mental health costs, etc. The problem that this legislation addresses is the funding of crime prevention. Funding has been difficult in crime prevention over the years and historically there have been problems coming up with funding for programs. This was addressed in Brown County about 15 years ago when the Crime Prevention Foundation of Brown County was formed. The concept of the Foundation was to provide a long-term source of funding for crime prevention programs so they raised a lot of money for the Foundation and each year grants were given from the earnings of the Foundation. Brown County had the first crime prevention foundation in the United States. Murphy continued that crime prevention funding is typically tax payer borne because government budgets get tough providing mandatory programming and money for crime prevention programs dries up. The Foundation in Brown County was started for a long-term source. Over the 15 years, the Foundation has given 117 grants of over \$168,000 to Brown County crime prevention programs. In an effective program, one dollar spent on crime prevention has been shown to save \$10 in future taxpayer costs for incarceration and treatment. Besides the benefits to the community, this is a major benefit to the taxpayer because it saves future costs.

Murphy continued that under the legislation recently implemented by the State, a county may create a crime prevention funding board and that is what he is here today to ask the Committee to do. He is asking that the Committee recommend to the Board that the County create a crime prevention funding board. What happens then is that sets the motion in process. A seven member board is created consisting of the presiding Judge of the county, the Sheriff, the District Attorney, the County Executive, the Mayor of the largest city, a representative of the Public Defender's office and a seventh person designated by the Chief of Police and Sheriff within Brown County. The funds that this Board will administer come from a \$20 surcharge from anyone convicted in circuit court of a misdemeanor or felony. The idea is that the person who committed the offense cost the County taxpayers a lot of money and this \$20 is a direct reimbursement to the taxpayers to fund crime prevention programs to improve and further the safety and wellbeing of the community and save the taxpayers money down the road. The surcharge would be collected by the Clerk of Courts and then forwarded to the Treasurer and then disbursed according to the wishes of the seven member crime prevention board. Murphy stated that the money would be arbitrary due in part to a backlog of collection of surcharges. The idea of a mechanism for finding funds is that there is no fund otherwise; taxes cannot be counted on to fund crime prevention programs but there are a lot of people convicted of crimes who will have to pay a \$20 surcharge. Whatever money goes into this crime prevention fund will go to fund crime prevention programs in Brown County. There is no arbitrariness to the amount of the surcharge, and it is for a conviction. This program is very transparent and every year the grants are given there is a report to the County Board and all of the municipalities in the County of how much was collected and how much was spent in grants, who got the money, who the leadership of the group is and then the recipient group is also required annually to provide a

similar report on how much they got, what it was supposed to be used for, what it was used for and if any money is left.

Murphy continued that Brown County is the first county in the country to have a crime prevention foundation and Wisconsin is the first state to create this funding mechanism for crime prevention programs. As the statute is written, each county has the option of creating this fund and Brown County has been the leader in the country in finding a source of funds for crime prevention programs and he is hoping that Brown County will be the first county in the country and the first in the State of Wisconsin to create this crime prevention funding board.

Delain stated that the Sheriff is very supportive of this and has spoken on this topic numerous times in Madison. The statutes spell out who has to be a member of the board and Sheriff Gossage thinks that it would be a good opportunity to advance crime prevention in Brown County. Sheriff Gossage is supportive of this and also has been supportive of the Brown County Crime Prevention Foundation for a very long time. By doing this, it provides an opportunity to give grants to a lot of organizations that can help reduce crime such as the Boys and Girls Clubs and other organizations that steer kids into positive directions. Where the funds go would be determined by the Board. Delain stated that Sheriff Gossage's recommendation would be for the Committee to support this and bring it forward to the Board.

Zima stated that this was a zero tax dollar cost up front and the revenues must have been estimated to know what the revenues would be and what the budget may be. Murphy responded that the decision on grants is fairly cut and dried. He talked about the crime triangle and stated in order for a crime to be committed there has to be a desire to commit the crime, the opportunity to commit the crime and the ability to commit the crime. An effective crime prevention program addresses any of those three aspects of crime and there will be solicitation of grants and then if it affects the crime prevention triangle it is eligible for the grant. That is how the grants will be administered and Murphy also noted that the transparency that is required is important.

Buckley asked how much money is anticipated to come into the fund. Murphy responded that there is not an accurate forecast because the collection of the funds is up for grabs. He continued that he just wants any money that comes in to go into this fund and it could be up to \$20,000 annually in Brown County. If crime prevention programs are effective, there may be a lot less. Because there is no administration fees for staffing or anything else, any money that comes into the fund is good. Buckley asked how the \$20 surcharge fee was decided upon. Murphy stated that they wanted something reasonable and affordable and something they thought could get through the state legislature. He felt that if it got to be too much it would be a hardship on top of fines. Zima felt that there would need to be someone to keep track of all of this and Murphy responded that the Clerk collects money all the time and he did not think there would have to be dedicated staff for this. He thought it would be a very minor addition to what the Clerk and Treasurer do and additionally, the seven members on board are already in existence and really do not even have to meet more than once a year. Murphy continued that the Crime Prevention Foundation has been in existence for 15 years and has given \$168,000 to local crime prevention programs with no staff. It is all volunteer work and those people involved are very dedicated to crime prevention. He does not feel that this is a cost to the community at all.

Clerk of Courts John Vander Leest reported that the Clerk of Courts Association was opposed to this bill, but he does not have opposition to doing it in Brown County. He cautioned though that this is at the very end of when people pay a citation; the \$20 surcharge would be the last portion collected and he urged to not over-estimate how much would be collected as they are battling for collections overall.

Buckley felt Murphy may wish to work with Vander Leest to see if they could get some idea of what kind of numbers are being talked about as he felt that this would really help when this goes to the full County Board. If Vander Leest can say how many people pay fines in full over the course of a year, that would be helpful. Buckley just wants to make sure there are some numbers available. Murphy responded that there were some guesstimates from the fiscal bureau that he could get and he also noted that there are letters of support of this legislation from a number of entities. Buckley felt the missing piece is what the estimated revenue is. Murphy stated that when this was drafted, the sense was that the cost would be a minimal incremental cost that was a reimbursement to the taxpayer, but the taxpayer does not get a reimbursement for the costs and they wanted the taxpayer to benefit somehow.

Vander Leest stated that there is a state statute that gives a judge the authority to waive part or all of the court fees and he does not know if this surcharge would fall under that. He has seen judges waive entire costs and the specific language would have to be looked at. Murphy stated that the specific language is contained in the packet of information he provided to the Committee.

Supervisor Clancy asked if this is currently being funded by private entities. Murphy responded that the crime prevention foundation that was formed 14 years ago started from scratch. He stated that at that time the funding from DARE was from the County Board and the foundation spent a year raising \$130,000 and promised the County Board that each year they could reduce the budgeted funding from the taxpayer by 20% for five years and take DARE off the expenditures of the taxpayers. He noted that they have raised \$460,000 which is in the fund right now, in addition to the \$168,000 they have already given out, but Murphy noted that it is very hard to raise funds for a foundation. Crime prevention programs are the tip of the iceberg in the community and there are so many ideas but no funding. This would allow another piece in the funding puzzle for crime prevention programs.

Vander Leest reiterated that it should be ascertained if this surcharge can be waived by a judge pursuant to statutes. He also stated that he has seen cases in which the judge waives all costs. Murphy responded that one of the problems in the past was it was arbitrary in the sense of how much was given and where it came from. Vander Leest agreed that the costs and fees imposed are a benefit and help pay for court services, but he felt the presiding judge should be consulted on this. Murphy also wished to mention that this actual legislation was implemented through the signing of the budget and was put into the budget by the Attorney General and there would be an opinion as to whether it could be waived.

Murphy encouraged the Committee to check out that their website, www.crimepreventionfoundation.com to see all of the grants that have been given over the years. Zima asked how much they collect on average and Murphy responded that it averages around \$25,000 and all of the money goes into the foundation.

Motion made by Supervisor Clancy, seconded by Supervisor Zima to approve and draft a resolution to create a funding board and bring back information as to how it is progressing. Vote taken. MOTION CARRIED UNANIMOUSLY

13. Sheriff's Report.

Delain reported that K-9 Officer Wix died on August 12, 2015 while on duty at the PGA Tournament at Whistling Straights. This is a reimbursed service that they do throughout Northeast Wisconsin. A report is being generated on the entire situation which Delain hopes is done later this week or early next week. The report will focus on how the K-9 died, what the contributing factors were which would include any human factors, environmental factors and any equipment issues associated with the death. Delain advised the Committee that the direction the investigation is going will probably show that the K-9 died from heat exhaustion and they do not believe that there are human factors involved and do not believe that the deputy did anything wrong in this case. This is not a case where the K-9 was unattended for a significant amount of time or anything like that. The Department believes that the report will show that there was approximately 47 minutes between checks on the dog which is not a significant amount of time at all. Delain continued that work dogs in general spend a significant amount of time in squad cars. Dr. Eastman from Bay Animal East came and explained that animals rest in three places; they rest in the back of the squad car, they rest at home and they rest in their kennel. When the siren goes on or the door opens, the dog is on alert and working. These K-9s are not animals that can just be tied up to a tree. They work with their mouth and use their mouth a lot and they need to be contained. When they are out of the car they are on alert. When the dog is put in the car, that is a place where he feels safe and can rest. This is not similar to a family pet that you can take out and let it relax. If the K-9 is taken out of the car, he is not relaxing; he is looking to see what he is supposed to do doing and where his handler is and what is going on. Delain continued that it was a very short period of time between checks on the dog and he noted that K-9 handlers are also taking calls for service and it is not uncommon on normal patrol for the dogs to be spending time in the car.

What is known in the case of Wix is that the air conditioning blower mower quit and when it did the heat rose in the car. The AC unit itself was operational. Delain continued that there are alarms in the car that are supposed to give

notification that there is a problem. The horn should have beeped and the windows dropped but that failed in this squad. Those failures have been documented and the information is being put together and an insurance claim has been filed with the insurance company. They have also spoken with Risk Management and they are confident that the K-9 will be covered by insurance.

Zima asked if windows would have been partially open if this could have been prevented. Delain responded that that is a good question and one of the windows was halfway down but that did not change anything. Delain stated the dog was turned over to Bay East Animal Hospital who examined the dog and then the Sheriff authorized a thorough examination to determine if there were any contributing factors. The heart was then sent to the veterinary lab in Madison who determined that although the heart was thick, it was probably related to the breed of dog and the work that he did.

In summary, Delain stated that it was a sequence of unfortunate events that resulted in the death of Wix. The Sheriff does not believe that the officer did anything wrong and he was following all of the policies including doing routine checks, getting the dog water, taking the dog out, etc. In fact, other than walking 75 yards to use the restroom the officer was within 20 feet of the car at all times. Had the alarm sounded like it should have, the officer would have been right there. The issues with the alarm are being turned over to the insurance company to be addressed and they will also be addressing any other safety concerns, but the issue in this case is the blower motor went out at a time when the officer was not in the car. Secondly, this happened on a day that was very hot, even along the lakeshore. It was a sequence of events that occurred one on top of the other that allowed for this to happen and on top of it, they have an alarm built in which did not work. Delain was confident in stating that the alarm system was put in correctly and should have worked. They brought in a group to review the install of the alarm on other vehicles as well as in the vehicle that Wix died in. They have reviewed the mechanical setup and confirmed that it is set up correctly and should have operated because all of the procedures were followed.

Buckley asked if the alarms have been tested in other squads and Delain responded that they have and the alarms are installed correctly but they feel that there may still be issues so they are taking steps to correct them. Delain said that it is a balancing act with contacting the company in reference to that as well as turning it over to Risk Management. Delain stated that they are hoping to have someone in the K-9 school in about two weeks and by the end of October they should be operational again. Buckley asked if the same deputy will have the new dog and Delain responded that if the report ends up the way he believes it will and the Sheriff signs off it will be the same deputy because he did not do anything wrong and he has received numerous positive status reports and commendations over the years. Delain stated that they are very confident it will be the same handler.

Motion made by Supervisor Nicholson, seconded by Supervisor Clancy to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

14. Circuit Courts, Commissioners, Probate - Budget Status Financial Report for June, 2015.

Motion made by Supervisor Nicholson, seconded by Supervisor Zima to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

15. Emergency Management – Budget Status Financial Report for July, 2015.

Motion made by Supervisor Zima, seconded by Supervisor Nicholson to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

16. Open Session: Medical Examiner Update.

Weininger stated that he had spoken with Oconto County and was directed by the Board to move forward with negotiating a contract with Dane County and also reach out to Oconto and Door counties. He did reach out to Oconto and Door and Oconto was very adamant with keeping the status quo without moving to Dane County. Weininger stated that he would like to go into closed session to talk about the contract strategy.

17. **Closed Session:** Notice is hereby given that the governmental body will adjourn into a closed session during the meeting for discussion as to contract strategies for the negotiation and bargaining as it relates to Medical Examiner Services pursuant to Wisconsin Statutes Section §19.85 (1)(e) deliberating or negotiating the purchase of public properties, the investing of public funds or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

Motion made by Supervisor Nicholson, seconded by Supervisor Zima to enter into closed session. Roll Call Vote Taken: Nicholson, Clancy, Zima; Nay: Buckley. **MOTION CARRIED**

Motion made by Supervisor Zima, seconded by Supervisor Nicholson to return to regular order of business. Roll Call Vote Taken: Nicholson, Clancy, Zima, Buckley. **MOTION CARRIED UNANIMOUSLY**

18. **Reconvene in Open Session:** Discussion and possible action as to options available to Brown County for Medical Examiner Services, and possibly contract negotiations and bargaining determinations.

No action taken.

- *18a. **Open Session:** Discussion and possible action regarding a review of the Brown County policies and procedures for Guardian Ad Litem and their fees.

- *18b. **Closed Session:** Discussion and possible action on specific cases dealing with Guardian Ad Litem fees whereby the discussions are likely to have a substantial adverse effect upon the reputation of specific persons and financial data of specific persons to be considered. Closed session is authorized on the above Item #3 pursuant to Wis. Stat. §19.85 (1)(f) considering financial, medical, social or personal histories or disciplinary data of specific persons, preliminary considerations of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations.

- *18c. **Reconvene in Open Session:** Discussion and possible action on Guardian Ad Litem fees, policies and procedures and possible specific cases.

See Motion at Item 3 above.

Other

19. **Audit of bills.**

No action taken.

20. **Such other matters as authorized by law.** None.

21. **Adjourn.**

Motion made by Supervisor Zima, seconded by Supervisor Clancy to adjourn at 1:45 pm. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Respectfully submitted,

Alicia A. Loehlein
Recording Secretary

Therese Giannunzio
Transcriptionist